

STATE OF WISCONSIN

Senate Journal

Eighty-Seventh Regular Session

TUESDAY, March 25, 1986

9:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The senate stood for the prayer which was offered by Pastor Dan Bruch of Calvary Lutheran Chapel and Student Center, University of Wisconsin, Madison.

The senate remained standing and Senator Strohl led the senate in the pledge of allegiance to the flag of the United States of America.

The roll was called and the following senators answered to their names:

Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 32.

Absent -- None.

Absent with leave -- Senator Theno -- 1.

By request of Senator Norquist, with unanimous consent, the senate recessed until 10:07 A.M.

9:15 A.M.

RECESS

10:07 A.M.

The senate reconvened.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 85

Directing the legislative council to study the feasibility and desirability of creating an emergency farm trust to assist financially troubled farmers in managing their current debts.

By Senator Kreul.

Read and referred to committee on Agriculture, Health and Human Services.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 644

Relating to appointing a former governor to the board of regents of the university of Wisconsin system.

By Senator Kreul.

To committee on Education and Government Operations.

Senate Bill 645

Relating to including certain federal payments to a school district in the school district's shared cost.

By Senators Kreul and Feingold.

To committee on Education and Government Operations.

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends the following nominations to committee for appointment by the senate:

Joint Survey Committee on Retirement Systems: Senator Theno.

Select Committee on Radioactive Waste: Senators Strohl (co-chair), Kincaid (co-chair), Chvala, Helbach, Moen, Otte, Chilsen, Lasee, Leean and Theno.

The question was: Shall the appointments be confirmed?

Confirmed.

And recommends:

Assembly Bill 896

Relating to designating September 16 as a special observance day for Mildred Fish Harnack.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

Senate Joint Resolution 84

Proclaiming May 11 to 17, 1986, as 'Historic Preservation Week'.

Adoption:

Ayes, 5 -- Senators Cullen, Risser, Norquist, Engeleiter and Ellis;

Noes, 0 -- None.

TIMOTHY F. CULLEN
Chair

The joint committee on Finance reports and recommends:

Senate Bill 355

Relating to providing additional payments to certain recipients of private sewage system grants.

Passage:

Ayes, 11 -- Senators George, Roshell, Helbach, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Nelsen, Panzer and Prosser;

Noes, 3 -- Senator Norquist, Representatives Travis and Kunicki.

Senate Bill 562

Relating to medical assistance coverage for gastric bypass surgery.

Introduction and adoption of senate amendment 1:

Ayes, 13 -- Senators George, Roshell, Norquist, Helbach, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Representative Travis.

Passage as amended:

Ayes, 13 -- Senators George, Roshell, Norquist, Helbach, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Representative Travis.

Senate Bill 637

An act to authorize and direct expenditure of \$25,000 from the general fund for payment of a claim against the state made by Robert L. Borum.

Passage:

Ayes, 8 -- Senators George, Norquist, Helbach, Strohl and Chvala; Representatives Schneider, Travis and Kunicki;

Noes, 6 -- Senators Roshell, Stitt and Davis, Representatives Nelsen, Panzer and Prosser.

Assembly Bill 330

Relating to redistributing loads on motor vehicles and providing a penalty.

Concurrence:

Ayes, 13 -- Senators George, Roshell, Helbach, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Travis, Kunicki, Nelsen, Panzer and Prosser.

Noes, 0 -- None.

Assembly Bill 434

Relating to various changes in the law governing repair, replacement and refund under new motor vehicle warranties.

Concurrence:

Ayes, 13 -- Senators George, Roshell, Norquist, Helbach, Strohl, Chvala, Stitt and Davis,

Representatives Schneider, Travis, Kunicki, Panzer and Prosser.

Noes, 0 -- None.

Assembly Bill 449

Relating to permanent registration of certain semitrailers, eliminating permits for the operation of semitrailers in intrastate commerce and eliminating permits for the rental or leasing of semitrailers.

Concurrence:

Ayes, 12 -- Senators George, Roshell, Helbach, Strohl, Stitt and Davis, Representatives Schneider, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Assembly Bill 536

Relating to applications for veterans' economic assistance loans.

Concurrence:

Ayes, 13 -- Senators George, Roshell, Norquist, Helbach, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Travis, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Assembly Bill 677

Relating to creating penalties for persons subject to juvenile court jurisdiction who escape from custody.

Adoption of senate amendment 1:

Ayes, 10 -- Senators George, Roshell, Helbach, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Travis and Kunicki;

Noes, 3 -- Representatives Nelsen, Panzer and Prosser.

Concurrence as amended:

Ayes, 9 -- Senators Roshell, Strohl, Stitt and Davis, Representatives Schneider, Travis, Nelsen, Panzer and Prosser;

Noes, 4 -- Senators George, Helbach and Chvala, Representative Kunicki.

Senate Bill 494

Relating to payment of claims against the department of employe trust funds resulting from employe errors and authorization and direction of expenditure of \$15,000 from the general fund for payment of a claim against the state made by Robert Radcliffe.

Introduction and adoption of senate amendment 1:

Ayes, 14 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 14 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Senate Bill 495

An act to authorize and direct expenditure of \$52,192.85 from the general fund for payment of a claim against the state made by Wallace O'Neill.

Introduction and adoption of senate amendment 1:
Ayes, 14 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Passage as amended:

Ayes, 11 -- Senators George, Roshell, Helbach, Strohl and Chvala, Representatives Schneider, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 3 -- Senators Norquist, Stitt and Davis.

Senate Bill 460

Relating to court fees and administration, judgment liens and the judicial council.

Adoption of senate amendment 1:

Ayes, 12 -- Senators George, Roshell, Norquist, Helbach, Strohl, Chvala, Stitt and Davis, Representatives Schneider, Travis, Nelsen and Panzer;

Noes, 1 -- Representative Prosser.

Adoption of senate amendment 2:

Ayes, 14 -- Senators George, Roshell, Strohl, Norquist, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 0 -- None.

Introduction and adoption of senate amendment 3:

Ayes, 9 -- Senators George, Roshell, Norquist, Helbach, Strohl and Chvala, Representatives Schneider, Travis and Kunicki;

Noes, 5 -- Senators Stitt and Davis, Representatives Nelsen, Panzer and Prosser.

Passage as amended:

Ayes, 11 -- Senators George, Roshell, Norquist, Helbach, Strohl, Chvala and Davis, Representatives Schneider, Travis, Kunicki and Panzer;

Noes, 3 -- Senator Stitt, Representatives Nelsen and Prosser.

GARY R. GEORGE
Senate Chair

The committee on Tourism, Revenue, Financial Institutions and Forestry reports and recommends:

Assembly Bill 914

Relating to filing inheritance tax returns.

Concurrence:

Ayes, 5 -- Senators Kincaid, Helbach, Ulichny, Ellis and Leean;

Noes, 0 -- None.

FREEMAN, PATRICIA WOLFF, of Glenwood City to the Minnesota-Wisconsin Boundary Area Commission, to serve a term to expire September 25, 1991.

Confirmation:

Ayes, 5 -- Senators Kincaid, Helbach, Ulichny, Ellis and Leean;

Noes, 0 -- None.

LLOYD H. KINCAID
Chair

The committee on Judiciary and Consumer Affairs reports and recommends:

Assembly Bill 946

Relating to extending the coverage of the motor vehicle warranty law to leased motor vehicles.

Concurrence:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Senate Bill 643

Relating to worthless checks, retail theft and providing penalties.

Passage:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 463

Relating to hearsay testimony at preliminary examinations.

Introduction and adoption of senate substitute amendment 1:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

Assembly Bill 356

Relating to providing local child support agencies with notice and the opportunity to be heard in termination of parental rights proceedings.

Introduction and adoption of senate substitute amendment 1:

Ayes, 4 -- Senators Adelman, Feingold, Chvala and Hanaway;

Noes, 1 -- Senator Lorman.

Concurrence as amended:

Ayes, 5 -- Senators Adelman, Feingold, Chvala, Hanaway and Lorman;

Noes, 0 -- None.

LYNN ADELMAN
Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

TIMMERMAN, RICHARD L., of River Falls, as a member of the Veterans Affairs Board, to serve for the term ending May 1, 1989.

Confirmation:

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Ayes, 6 -- Senators Van Sistine, Roshell, Otte,
Plewa, Kreul and Leean;
Noes, 0 -- None.

Senate Bill 617

Relating to reelection of reimbursement financing of unemployment compensation benefits by nonprofit organizations.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte,
Plewa, Kreul and Leean;
Noes, 0 -- None.

Assembly Bill 354

Relating to state life insurance benefits for retired employees.

Concurrence:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte,
Plewa, Kreul and Leean;
Noes, 0 -- None.

Assembly Bill 742

Relating to miscellaneous changes in the insurance laws.

Concurrence:

Ayes, 5 -- Senators Van Sistine, Roshell, Otte,
Plewa and Kreul;
Noes, 1 -- Senator Leean.

JEROME VAN SISTINE
Chair

The committee on Energy and Environmental Resources reports and recommends:

Assembly Bill 694

Relating to bear hunting and related licenses, permits, fees and procedures, granting rule-making authority and providing penalties.

Concurrence:

Ayes, 7 -- Senators Strohl, Chvala, Lee, Adelman,
Norquist, Ellis and Hanaway;
Noes, 0 -- None.

JOE STROHL
Chair

The committee on Agriculture, Health and Human Services reports and recommends:

Assembly Bill 854

Relating to restricting the sale of human organs, granting rule-making authority and providing a penalty.

Concurrence:

Ayes, 9 -- Senators Moen, Otte, Norquist,
Feingold, Ulichny, Strohl, Harsdorf, Rude
and Chilsen;
Noes, 0 -- None.

Senate Bill 577

Relating to limitation on state contracting by prison industries, analysis of the impact of award of certain state contracts to prison industries and assistance to certain employees displaced by prison industries contracts.

Introduction and adoption of senate substitute amendment 1:

Ayes, 7 -- Senators Moen, Otte, Norquist,
Feingold, Ulichny, Strohl and Rude;
Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Moen, Otte, Norquist,
Feingold, Ulichny, Strohl and Rude;
Noes, 0 -- None.

Assembly Bill 622

Relating to interpreters for persons with disabilities.

Concurrence:

Ayes, 7 -- Senators Moen, Otte, Norquist,
Feingold, Ulichny, Strohl and Rude;
Noes, 0 -- None.

Assembly Bill 816

Relating to creating a forfeiture for violation of various food regulation provisions administered by the department of agriculture, trade and consumer protection.

Concurrence:

Ayes, 6 -- Senators Moen, Otte, Norquist,
Feingold, Ulichny and Strohl;
Noes, 0 -- None.

RODNEY C. MOEN
Chair

The committee on Urban Affairs, Utilities and Elections reports and recommends:

Senate Joint Resolution 83

Relating to filling judicial vacancies by gubernatorial appointment with senate confirmation subject to voter review at a retention election approximately 2 years after the appointment (first consideration).

Adoption:

Ayes, 2 -- Senators Strohl and Van Sistine;
Noes, 3 -- Senators Lee, Lasee and Rude.

MORDECAI LEE
Chair

The committee on Education and Government Operations reports and recommends:

Assembly Bill 54

Relating to prohibiting investment of public retirement trust funds in certain investments relating to the Republic of South Africa.

Introduction and adoption of senate amendment 1:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach,
Moen, Otte, Harsdorf and Lorman;
Noes, 0 -- None.

Concurrence as amended:

Ayes, 5 -- Senators Czarnezki, Adelman, Helbach,
Otte and Harsdorf;
Noes, 3 -- Senators Moen, Davis and Lorman.

Assembly Bill 496

Relating to requiring pupils suspended from school for truancy to attend school under a directed study program.

Introduction and adoption of senate amendment 1:
Ayes, 6 -- Senators Czarnezki, Adelman, Otte,
Davis, Harsdorf and Lorman;
Noes, 2 -- Senators Helbach and Moen.
Concurrence as amended:
Ayes, 5 -- Senators Czarnezki, Helbach, Otte,
Davis and Lorman;
Noes, 3 -- Senators Adelman, Moen and Harsdorf.

Assembly Bill 713

Relating to recomputing the annuities of participants who reenter service in the Wisconsin retirement system after receiving an original annuity.

Concurrence:

Ayes, 7 -- Senators Czarnezki, Adelman, Helbach, Moen, Otte, Davis and Lorman;
Noes, 1 -- Senator Harsdorf.

JOSEPH J. CZARNEZKI
Chair

The committee on Transportation reports and recommends:

Assembly Bill 508

Relating to consecutive month permits for overweight or oversize vehicles.

Concurrence:

Ayes, 6 -- Senators Otte, Moen, Roshell, Andrea, Kreul and Theno;
Noes, 0 -- None.

CARL OTTE
Chair

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By request of Senator Norquist, with unanimous consent, the appointments were considered enmasse with the exception of Eugene Parks.

ALBERT, FRITZ, of Madison, to the Educational Communications Board, to serve a term to expire July 1, 1986.

Read.

BILLER, LESTER C., of Plymouth, as a member of the Architects, Professional Engineers, Designers and Land Surveyors Examining Board, to serve for the term ending July 1, 1990.

Read.

HEDDEN, JOAN G., of Racine, as a member of the Pharmacy Examining Board, to serve for the term ending July 1, 1988.

Read.

HOLDEN, JOAN, of Madison, as a member of the Educational Communications Board, to serve for the term ending July 1, 1989.

Read.

KENDING, CANDY, of Bennett, as a member of the Educational Communications Board, to serve for the term ending July 1, 1987.

Read.

KERSCHER, FRANCES MARY, of Manitowoc, as a member of the Pharmacy Internship Board, to serve for the term ending July 1, 1991.

Read.

LYON, THOMAS L., of Shawano, as a member of the University of Wisconsin Board of Regents, to serve for the term ending May 1, 1993.

Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Lecan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Theno -- 1.

So the appointments were confirmed.

PARKS, EUGENE, of Madison, as a member of the Personnel Board to serve for the term ending July 1, 1991.

Read.

The question was: Shall the appointment be confirmed?

The ayes and noes were required and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lee, Lecan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Ulichny and Van Sistine -- 28.

Noes -- Senators Ellis, Engeleiter, Lasee and Stitt -- 4.
Absent or not voting -- Senator Theno -- 1.

So the appointment was confirmed.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 85-186

AN ORDER to renumber and amend Ag 165.09 to 165.11; to amend Ag 165.01 (5) to (8), 165.02 and 165.04 to 165.08; and to create Ag 165.09, relating to the animal waste grant program.

Submitted by Department of Agriculture, Trade and Consumer Protection.

Report received from agency, March 24, 1986.

Referred to committee on Agriculture, Health and Human Services, March 25, 1986.

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The committee on Transportation reports and recommends:

Clearinghouse Rule 85-155

AN ORDER to repeal chapter MVD 15; and to create chapter Trans 195, relating to the fees and procedures for search and documentation of division of motor vehicle records.

Submitted by Department of Transportation.
No action taken.

CARL OTTE
Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

Clearinghouse Rule 85-191

AN ORDER to repeal HSS 55.61 (1) (d), relating to liability insurance coverage for certified family day care and in-home day care providers.

Submitted by Department of Health and Social Services.

No action taken.

Clearinghouse Rule 85-129

AN ORDER to renumber Ind 69.20 (1) (b) 8 and 9 and 69.25; and to create chapter ILHR 17 and Ind 69.20 (1) (b) 8 and 69.25, relating to electrical inspection and certification.

Submitted by Department of Industry, Labor & Human Relations.

No action taken.

Clearinghouse Rule 85-197

AN ORDER to amend Ins 6.57 (1), relating to company listing of agents.

Submitted by Office of the Commissioner of Insurance.

No action taken.

Clearinghouse Rule 85-198

AN ORDER to create chapter Ins 20, relating to home solicitation selling.

Submitted by Office of the Commissioner of Insurance.

No action taken.

JEROME VAN SISTINE
Chair

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Senate Bill 136

Relating to misappropriation of trade secrets.
Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

Senate Bill 174

Relating to special elections, ballots, nominations, canvassing, election officials, referenda, recall, registration and voting procedure, vacancies, eligibility

for office, election notices and forms, administration of elections and prohibited election practices.

Read.

Senate amendment 1 to assembly amendment 1 offered by Senators Lee, Strohl and Rude.

The question was: Adoption of senate amendment 1 to assembly amendment 1?

Adopted.

Senate amendments 2 and 3 to assembly amendment 1 offered by Senator Lee.

The question was: Adoption of senate amendment 2 to assembly amendment 1?

Adopted.

The question was: Adoption of senate amendment 3 to assembly amendment 1?

Adopted.

The question was: Concurrence of assembly amendment 1?

Concurred in as amended.

Senate amendment 1 to assembly amendment 2 offered by Senator Davis.

The question was: Adoption of senate amendment 1 to assembly amendment 2?

Adopted.

The question was: Concurrence of assembly amendment 2?

Concurred in as amended.

The question was: Concurrence of assembly amendment 4?

Concurred in.

The question was: Concurrence of assembly amendment 6?

Concurred in.

The question was: Concurrence of assembly amendment 7?

Concurred in.

The question was: Concurrence of assembly amendment 8?

Concurred in.

Senate amendment 1 to assembly amendment 9 offered by Senators George and Lee.

The question was: Adoption of senate amendment 1 to assembly amendment 9?

Adopted.

The question was: Concurrence of assembly amendment 9?

Concurred in as amended.

The question was: Concurrence of assembly amendment 10?

Concurred in.

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The question was: Concurrence of assembly amendment 12?

Senator Davis moved non-concurrence of assembly amendment 12.

The question was: Non-concurrence of assembly amendment 12?

Non-concurred in.

The question was: Concurrence of assembly amendment 15?

Concurred in.

The question was: Concurrence of assembly amendment 16?

Concurred in.

The question was: Concurrence of assembly amendment 18?

Concurred in.

Senate Bill 344

Relating to bicycle equipment.

Read.

The question was: Concurrence of assembly amendment 1?

Concurred in.

Senate Bill 271

Relating to amending 2 definitions regarding crediting public employe trust fund accumulations; including exchange teachers and administrators in the Wisconsin retirement system; eliminating an obsolete reference to an assumed offset for social security earnings in computing benefits under the Wisconsin retirement system; eliminating the authority of the state teachers retirement board and the Wisconsin retirement fund board to amend rules of the department of employe trust funds; a reduction in the normal form monthly retirement annuity for early retirement; and services excluded from federal OASDHI coverage (suggested as remedial legislation by the department of employe trust funds).

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 271

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Theno -- 1.

So the bill passed.

Senate Bill 421

Relating to the issuance of licenses to sell intoxicating liquor to bowling alleys.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 421

Read a third time and passed.

Senate Bill 484

Relating to expenditure deadlines in tax incremental finance districts.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, senate substitute amendment 1 was placed after senate substitute amendment 2?

Senate amendment 1 to senate substitute amendment 2 offered by Senator Strohl.

The question was: Adoption of senate amendment 1 to senate substitute amendment 2? Adopted.

By request of Senator Lee, with unanimous consent, **Senate Bill 484** was placed after **Senate Bill 500**.

Senate Bill 500

Relating to private nuisance actions concerning industrial uses and practices.

Read a second time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Senator George asked unanimous consent that **Senate Bill 500** be referred to joint committee on Finance.

Senator Engeleiter objected.

Senator George moved that **Senate Bill 500** be referred to joint committee on Finance.

The question was: Shall **Senate Bill 500** be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnecki, Feingold, George, Hanaway, Helbach, Kincaid, Kreul, Lee, Moen, Norquist, Otte, Plewa, Risser, Roshell, Strohl, Ulichny and Van Sistine -- 21.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Harsdorf, Lasee, Leean, Lorman, McCallum, Rude and Stitt -- 11.

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Absent or not voting -- Senator Theno -- 1.

So the motion prevailed.

Senate Bill 484

Relating to expenditure deadlines in tax incremental finance districts.

Read a second time.

Senate amendment 2 to senate substitute amendment 2 offered by Senator Lee.

The question was: Adoption of senate amendment 2 to senate substitute amendment 2?

Adopted.

The question was: Adoption of senate substitute amendment 2?

Adopted.

The question was: Adoption of senate substitute amendment 1?

By request of Senator George, with unanimous consent, senate substitute amendment 1 was laid on the table.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 484

Read a third time and passed.

Senate Bill 521

Relating to permitting meetings of boards of directors of corporations to be conducted by telephonic communication.

Read a second time.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 521

Read a third time and passed.

Senate Bill 585

Relating to city and village parking systems.

Read a second time.

Senate substitute amendment 1 offered by Senators Lee and Plewa.

By request of Senator Lee, with unanimous consent, the Senate returned to the eighth order of business.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 849

**MESSAGE FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 849

Relating to city and village parking systems.

By Representatives Notestein, Becker, Carpenter, Seery, M. Coggs and Crawford, cosponsored by Senators Plewa, Lee and Czarnecki.

Read first time and referred to committee on Urban Affairs, Utilities and Elections.

By request of Senator Lee, with unanimous consent, the rules were suspended and **Assembly Bill 849** was withdrawn from committee on Urban Affairs, Utilities and Elections and taken up at this time.

Assembly Bill 849

Relating to city and village parking systems.

Read a second time.

By request of Senator George, with unanimous consent, **Assembly Bill 849** was referred to the joint committee on Finance.

By request of Senator George, with unanimous consent, **Assembly Bill 849** was withdrawn from the joint committee on Finance and considered for action at this time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 849

Read a third time.

By request of Senator Norquist, with unanimous consent, **Assembly Bill 849** was placed at the foot of the calendar.

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Senate Bill 585

Relating to city and village parking systems.

Read a second time.

By request of Senator Norquist, with unanimous consent, **Senate Bill 585** was laid on the table.

Senate Bill 589

Relating to restitution and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 1?
Adopted.

The question was: Adoption of senate amendment 2?

By request of Senator Adelman, with unanimous consent, senate amendment 2 was laid on the table.

The question was: Adoption of senate amendment 3?
Adopted.

The question was: Adoption of senate amendment 4?
Adopted.

The question was: Adoption of senate amendment 5?
Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 589

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leraan, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Theno -- 1.

So the bill passed.

Assembly Bill 12

Relating to parental liability for acts of children and disclosure of certain information about juveniles.

Read a second time.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Leraan.

By request of Senator Ulichny, with unanimous consent, **Assembly Bill 12** was placed at the foot of the calendar.

Assembly Bill 38

Relating to criminal damage to cemetery property and seizure and forfeiture of vehicles.

Read a second time.

Senate amendment 1 offered by Senator Adelman.

The question was: Adoption of senate amendment 1?
Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 38

Read a third time and concurred in as amended.

Assembly Bill 51

Relating to authorizing the common council of any 1st class city to levy taxes in order to accumulate a liability reserve fund.

Read a second time.

The question was: Adoption of senate amendment 1?

Senator Stitt moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

By request of Senator Lee, with unanimous consent, **Assembly Bill 51** was placed after **Assembly Bill 474**.

Assembly Bill 229

Relating to employment relations for members of the university of Wisconsin academic staff and making appropriations.

Read a second time.

Senate amendment 1 offered by Senators George, Kincaid, Stitt and Engeleiter.

The question was: Adoption of senate amendment 1?

By request of Senator Norquist, with unanimous consent, **Assembly Bill 229** was placed after **Assembly Bill 595**.

Senator Engeleiter moved reconsideration of the vote by which **Assembly Bill 38** was concurred in.

By request of Senator Adelman, with unanimous consent, the motion to reconsider the vote by which **Assembly Bill 38** was concurred in was placed at the foot of the calendar.

Assembly Bill 256

Relating to authorizing a physical therapist to practice without the referral of a physician, dentist or podiatrist.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 256

Read a third time and concurred in.

Assembly Bill 416

Relating to eliminating restrictions on the height of spotlamps on motor vehicles.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 416

Read a third time and concurred in.

Assembly Bill 427

Relating to reporting deaths, appointment of deputy coroners, revising vital statistics laws and the law on cremations, granting rule-making authority and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Engeleiter, with unanimous consent, **Assembly Bill 427** was placed at the foot of the calendar.

Assembly Bill 438

Relating to the student teaching requirement for a teaching certificate or license.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 438

Read a third time and concurred in.

Assembly Bill 457

Relating to an exception from permit requirements for drawing certain trailers by a motor truck.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 457

Read a third time and concurred in.

Assembly Bill 474

Relating to granting legal custody, periods of physical placement and visitation in an action affecting the family and making an appropriation.

Read a second time.

Senate amendments 1 and 2 to senate amendment 1 offered by Senator Norquist.

The question was: Adoption of senate amendment 1 to senate amendment 1?

By request of Senator Norquist, with unanimous consent, senate amendment 1 to senate amendment 1 was returned to the author.

The question was: Adoption of senate amendment 2 to senate amendment 1?

By request of Senator Adelman, with unanimous consent, **Assembly Bill 474** was placed at the foot of the calendar.

Assembly Bill 51

Relating to authorizing the common council of any 1st class city to levy taxes in order to accumulate a liability reserve fund.

Read a second time.

The question was: Rejection of senate amendment 1?

By request of Senator Lee, with unanimous consent, **Assembly Bill 51** was placed at the foot of the calendar.

Assembly Bill 493

Relating to changing the title of the state mental health act.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 493

Read a third time and concurred in.

Assembly Bill 595

Relating to changes to the insurance security fund.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 595

Read a third time and concurred in.

Assembly Bill 229

Relating to employment relations for members of the university of Wisconsin academic staff and making appropriations.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 229

Read a third time.

The ayes and noes were required and the vote was: ayes, 24; noes, 8; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Ellis, Feingold, Harsdorf, Helbach, Kincaid, Kreul, Lee, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Strohl, Ulichny and Van Sistine -- 24.

Noes -- Senators Chilsen, Davis, Engeleiter, George, Hanaway, Lasee, Lekan and Stitt -- 8.

Absent or not voting -- Senator Theno -- 1.

So the bill was concurred in as amended.

Senator Otte moved reconsideration of the vote by which **Assembly Bill 229** was concurred in.

The question was: Reconsideration of the vote by which **Assembly Bill 229** was concurred in?

The ayes and noes were demanded and the vote was: ayes, 15; noes, 17; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, Harsdorf, Helbach, Moen, Norquist, Otte, Plewa, Risser, Strohl and Van Sistine -- 15.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, George, Hanaway, Kincaid, Kreul, Lasee, Lee, Lekan, Lorman, McCallum, Roshell, Rude, Stitt and Ulichny -- 17.

Absent or not voting -- Senator Theno -- 1.

So the motion did not prevail.

Assembly Bill 601

Relating to payments for monitoring solid or hazardous waste disposal facilities and sites.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Lee, with unanimous consent, senate amendment 1 was laid on the table.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 601

Read a third time and concurred in.

Assembly Bill 625

Relating to removing a cardiac program from required capital expenditure review approval.

Read a second time.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

By request of Senator Cullen, with unanimous consent, the senate recessed until 2:00 P.M.

12:12 P.M.

RECESS

2:00 P.M.

The senate reconvened.

The question was: Adoption of senate amendment 1?

Senator George in the chair.

2:08 P.M.

The question was: Adoption of senate amendment 1?

Senator Risser moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 14; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Chvala, Cullen, Czarnezki, George, Hanaway, Lee, Lorman, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 18.

Noes -- Senators Adelman, Davis, Ellis, Engeleiter, Feingold, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Leean, McCallum, Moen and Plewa -- 14.

Absent or not voting -- Senator Theno -- 1.

So the motion prevailed.

Senator Moen asked unanimous consent that **Assembly Bill 625** be referred to committee on Agriculture, Health and Human Services.

Senator Risser objected.

Senator Ellis moved that **Assembly Bill 625** be referred to committee on Agriculture, Health and Human Services.

The question was: Shall **Assembly Bill 625** be referred to committee on Agriculture, Health and Human Services?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 21; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Davis, Ellis, Engeleiter, Kincaid, Kreul, Lasee, Lee, Leean, McCallum and Moen -- 11.

Noes -- Senators Andrea, Chilsen, Chvala, Cullen, Czarnezki, Feingold, George, Hanaway, Harsdorf, Helbach, Lorman, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 21.

Absent or not voting -- Senator Theno -- 1.

So the motion did not prevail.

Senator Moen asked unanimous consent that **Assembly Bill 625** be placed at the foot of the calendar. Senator Risser objected.

Ordered to a third reading.

Senator Cullen asked unanimous consent that the rules be suspended and the bill be considered for final action at this time.

Senator Moen objected.

Senator Cullen moved that the rules be suspended and the bill be considered for final action at this time.

The question was: Shall the rules be suspended and the bill be considered for final action at this time?

The ayes and noes were required and the vote was: ayes, 23; noes, 9; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Chvala, Cullen, Czarnezki, Feingold, George, Hanaway, Harsdorf, Helbach, Kreul, Lee, Lorman, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 23.

Noes -- Senators Adelman, Davis, Ellis, Engeleiter, Kincaid, Lasee, Leean, McCallum and Moen -- 9.

Absent or not voting -- Senator Theno -- 1.

More than two-thirds having voted in the affirmative, the motion prevailed.

Assembly Bill 625

Read a third time and concurred in.

Assembly Bill 696

Relating to revising the penalty for the improper registration of any wild animal.

Read a second time.

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Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 696

Read a third time and concurred in.

Assembly Bill 697

Relating to revising the penalties for illegally selling or serving certain fish and game.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 697

Read a third time and concurred in as amended.

Assembly Bill 702

Relating to the distribution of property assessment manuals.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 702

Read a third time and concurred in.

Assembly Bill 735

Relating to allowing the department of natural resources to waive fishing license requirements or fishing license fees or to charge different fees for special events or programs and granting rule-making authority.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 735

Read a third time and concurred in.

Assembly Bill 762

Relating to requiring the department of transportation to maintain a record of potential anatomical donors.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 762

Read a third time and concurred in.

Assembly Bill 794

Relating to school district achievement testing in reading, language arts and mathematics.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 794

Read a third time and concurred in.

Assembly Bill 847

Relating to aid to shelters for the homeless, an exception to the definition of community-based residential facility and providing for studies.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 847

Read a third time and concurred in.

Assembly Bill 875

Relating to extending the laws governing future service contracts to certain videotape rental contracts.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 875

Read a third time and concurred in.

Assembly Bill 888

Relating to establishing an application fee for authority to transport certain commodities in interstate commerce and suspension or revocation of motor carrier permits, licenses or certificates upon abandonment of service.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 888

Read a third time and concurred in.

Assembly Bill 941

Relating to foster parent liability insurance and making appropriations.

Read a second time.

Senate amendment 1 offered by Senator Leean.

The question was: Adoption of senate amendment 1?

Senator Van Sistine moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Chvala, Cullen, Czarnecki, Feingold, George, Lee, Lorman, Moen, Norquist, Otte, Plewa, Roshell, Strohl, Ulichny and Van Sistine -- 16.

Noes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Llean, McCallum, Risser, Rude and Stitt - 16.

Absent or not voting -- Senator Theno -- 1.

So the motion did not prevail.

The question was: Adoption of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 16; noes, 16; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Llean, McCallum, Risser, Rude and Stitt - 16.

Noes -- Senators Adelman, Chvala, Cullen, Czarnezki, Feingold, George, Lee, Lorman, Moen, Norquist, Otte, Plewa, Roshell, Strohl, Ulichny and Van Sistine -- 16.

Absent or not voting -- Senator Theno -- 1.

So the amendment failed to be adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 941

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Llean, Lorman, McCallum, Moen, Norquist, Otte, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 31.

Noes -- Senator Plewa -- 1.

Absent or not voting -- Senator Theno -- 1.

So the bill was concurred in.

Assembly Bill 849

Relating to city and village parking systems.

Read a third time.

By request of Senator Norquist, with unanimous consent, **Assembly Bill 849** was placed at the foot of the calendar.

Assembly Bill 12

Relating to parental liability for acts of children and disclosure of certain information about juveniles.

By request of Senator Ulichny, with unanimous consent, **Assembly Bill 12** was placed at the foot of the calendar.

Assembly Bill 38

Relating to criminal damage to cemetery property and seizure and forfeiture of vehicles.

Read.

The question was: Reconsideration of the vote by which **Assembly Bill 38** was concurred in?

The motion prevailed.

By request of Senator Engeleiter, with unanimous consent, **Assembly Bill 38** was referred to a second reading.

Read a second time.

By request of Senator Engeleiter, with unanimous consent, the vote by which senate amendment 1 was adopted was reconsidered.

The question was: Adoption of senate amendment 1?

Senator Engeleiter moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The motion prevailed.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 38

Read a third time and concurred in.

Assembly Bill 427

Relating to reporting deaths, appointment of deputy coroners, revising vital statistics laws and the law on cremations, granting rule-making authority and providing penalties.

Read a second time.

The question was: Adoption of senate amendment 1?

By request of Senator Otte, with unanimous consent, senate amendment 1 was returned to the author.

The question was: Adoption of senate amendment 2?

By request of Senator Moen, with unanimous consent, senate amendment 2 was returned to the author.

Senate amendment 3 offered by Senators Adelman and Plewa.

The question was: Adoption of senate amendment 3?

Senator Moen moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 10; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Davis, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Llean, Lorman, McCallum, Moen, Norquist, Otte, Risser, Rude, Strohl, Ulichny and Van Sistine -- 22.

Noes -- Senators Adelman, Chvala, Czarnezki, Ellis, Engeleiter, Feingold, George, Plewa, Roshell and Stitt -- 10.

Absent or not voting -- Senator Theno -- 1.

So the motion prevailed.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 427

Read a third time and concurred in.

Assembly Bill 474

Relating to granting legal custody, periods of physical placement and visitation in an action affecting the family and making an appropriation.

Read a second time.

The question was: Adoption of senate amendment 2 to senate amendment 1?

By request of Senator Norquist, with unanimous consent, senate amendment 2 to senate amendment 1 was returned to the author.

The question was: Adoption of senate amendment 1?

By request of Senator Adelman, with unanimous consent, senate amendment 1 was laid on the table.

Senate amendment 2 offered by Senator Lekan.

The question was: Adoption of senate amendment 2?

Senator Adelman raised the point of order that senate amendment 2 was not germane.

The chair took the point of order under advisement.

Assembly Bill 51

Relating to authorizing the common council of any 1st class city to levy taxes in order to accumulate a liability reserve fund.

Read a second time.

The question was: Rejection of senate amendment 1?

By request of Senator Stitt, with unanimous consent, he withdrew his motion to reject senate amendment 1.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 51

Read a third time and concurred in as amended.

Assembly Bill 12

Relating to parental liability for acts of children and disclosure of certain information about juveniles.

Read a second time.

The question was: Adoption of senate amendment 1 to senate amendment 1?

By request of Senator Ulichny, with unanimous consent, **Assembly Bill 12** was placed after **Senate Bill 562**.

RULING OF THE CHAIR

Assembly Bill 474

Relating to granting legal custody, periods of physical placement and visitation in an action affecting the family and making an appropriation.

Earlier today the senator from the 28th, Senator Adelman, raised the point of order that senate amendment 2 to Assembly Bill 474 was not germane.

The amendment relates to grounds for termination of parental rights. The bill among other things does create additional factors which the court is required to consider in making a child custody determination. It is therefore the opinion of the chair that senate amendment 2 to Assembly Bill 474 is germane and the point of order is not well taken.

GARY GEORGE

In the chair

Read a second time.

The question was: Adoption of senate amendment 2? Adopted.

Senate amendment 3 offered by Senator Lee.

The question was: Adoption of senate amendment 3?

Senator Adelman moved rejection of senate amendment 3.

The question was: Rejection of senate amendment 3?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 5; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lekan, Lorman, McCallum, Moen, Otte, Risser, Roshell, Stitt, Strohl and Van Sistine -- 27.

Noes -- Senators Lee, Norquist, Plewa, Rude and Ulichny -- 5.

Absent or not voting -- Senator Theno -- 1.

So the motion prevailed.

Senate amendment 4 offered by Senator Adelman.

The question was: Adoption of senate amendment 4? Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 474

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee,

Leean, Lorman, McCallum, Moen, Otte, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 28.

Noes -- Senators George. Lee, Norquist and Plewa -- 4.

Absent or not voting -- Senator Theno -- 1.

So the bill was concurred in as amended.

By request of Senator Cullen, with unanimous consent, the Senate returned to the fourth order of business.

The joint committee on Finance reports and recommends:

Senate Bill 641

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison.

Introduction and adoption of senate amendment 1:

Ayes, 9 -- Senators George, Roshell, Strohl, Stitt and Davis, Representatives Jauch, Kunicki, Nelsen and Prosser;

Noes, 3 -- Senator Chvala, Representative Schneider and Travis.

Passage as amended:

Ayes, 13 -- Senators George, Roshell, Helbach, Chvala, Stitt and Davis, Representatives Schneider, Jauch, Travis, Kunicki, Nelsen, Panzer and Prosser;

Noes, 1 -- Senator Strohl.

GARY R. GEORGE
Senate Chair

By request of Senator Cullen, with unanimous consent, the rules were suspended and the Scheduling Report of Tuesday, March 25 was taken up at this time.

Senate Bill 641

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

By request of Senator Cullen, with unanimous consent, **Senate Bill 641** was placed after **Senate Bill 494**.

SPECIAL ORDER AT 1:30 P.M.

Assembly Bill 138

Relating to decertification of law enforcement and jail officers.

Read.

The question was: Shall the Committee of Conference Report be adopted?

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold,

George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Theno -- 1.

So the Committee of Conference Report was adopted.

SPECIAL ORDER AT 1:31 P.M.

Senate Joint Resolution 1

Relating to authorizing the creation of a Wisconsin state lottery (first consideration).

Read.

By request of Senator Cullen, with unanimous consent, **Senate Joint Resolution 1** was placed at the foot of the calendar.

SPECIAL ORDER AT 1:32 P.M.

Senate Bill 127

Relating to authorizing a county, city, village or town to establish a rabies control program, creating a council on local rabies control programs and granting rule-making authority.

Read.

The question was: Concurrence of assembly amendment 3?

Concurred in.

SPECIAL ORDER AT 1:33 P.M.

Assembly Bill 386

Relating to labeling requirements for used oil, liens for petroleum product inspection fees and regulation and inspection of amusement rides and ski lifts (suggested as remedial legislation by the department of industry, labor and human relations).

Read.

The question was: Shall the senate adhere to its position on senate amendment 2?

The senate adheres to its position.

SPECIAL ORDER AT 1:34 P.M.

Senate Joint Resolution 84

Proclaiming May 11 to 17, 1986, as 'Historic Preservation Week'.

Read.

Adopted.

SPECIAL ORDER AT 1:35 P.M.

Senate Bill 494

Relating to payment of claims against the department of employe trust funds resulting from employe errors and authorization and direction of expenditure of \$15,000 from the general fund for payment of a claim against the state made by Robert Radcliffe.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 494

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes -- Senators Adelman, Andrea, Chilsen, Chvala, Cullen, Czarnecki, Davis, Ellis, Engleiter, Feingold, George, Hanaway, Harsdorf, Helbach, Kincaid, Kreul, Lasee, Lee, Leean, Lorman, McCallum, Moen, Norquist, Otte, Plewa, Risser, Roshell, Rude, Stitt, Strohl, Ulichny and Van Sistine -- 32.

Noes -- None.

Absent or not voting -- Senator Theno -- 1.

So the bill passed.

Senate Bill 641

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison.

Read a second time.

By request of Senator Cullen, with unanimous consent, **Senate Bill 641** was placed after **Assembly Bill 494**.

SPECIAL ORDER AT 1:36 P.M.

Senate Bill 562

Relating to medical assistance coverage for gastric bypass surgery.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 562

Read a third time and passed.

Assembly Bill 12

Relating to parental liability for acts of children and disclosure of certain information about juveniles.

Read a second time.

By request of Senator Ulichny, with unanimous consent, **Assembly Bill 12** was placed at the foot of the calendar.

SPECIAL ORDER AT 1:37 P.M.

Senate Bill 643

Relating to worthless checks, retail theft and providing penalties.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 643

Read a third time and passed.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

SPECIAL ORDER AT 1:38 P.M.

Assembly Bill 465

Relating to personalized registration plates.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 465

Read a third time and concurred in.

SPECIAL ORDER AT 1:39 P.M.

Assembly Bill 466

Relating to child abuse restraining orders and injunctions and providing a penalty.

Read a second time.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 466

Read a third time and concurred in as amended.

SPECIAL ORDER AT 1:40 P.M.

Assembly Bill 494

Relating to changing the definition of alcoholic.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 494

Read a third time and concurred in.

Senator Risser asked unanimous consent that the chair request and appoint a Committee of Conference on **Assembly Bill 386**.

Senate Bill 641

Relating to an indoor practice facility for athletic programs at the university of Wisconsin-Madison.

Read a second time.

Senate amendment 2 offered by Senators Chvala, Kreul and Rude.

The question was: Adoption of senate amendment 2?

Senator Risser moved rejection of senate amendment 2.

The question was: Rejection of senate amendment 2?
The motion prevailed.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Senate Bill 641

Read a third time and passed.

SPECIAL ORDER AT 1:41 P.M.

Assembly Bill 622

Relating to interpreters for persons with disabilities.
Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 622

Read a third time and concurred in.

SPECIAL ORDER AT 1:42 P.M.

Assembly Bill 677

Relating to creating penalties for persons subject to juvenile court jurisdiction who escape from custody.

Read a second time.

The president of the senate in the chair.

5:34 P.M.

The question was: Adoption of senate amendment 1?

By request of Senator Lee, with unanimous consent, senate amendment 1 was laid on the table.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 677

Read a third time and concurred in.

By request of the president of the senate, with unanimous consent, he appointed Senators Van Sistine, Roshell and Stitt as conferees to the Committee of Conference on **Assembly Bill 386**.

The question was: Confirmation of the conferees?
Confirmed.

SPECIAL ORDER AT 1:43 P.M.

Assembly Bill 694

Relating to bear hunting and related licenses, permits, fees and procedures, granting rule-making authority and providing penalties.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 694

Read a third time and concurred in.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

SPECIAL ORDER AT 1:44 P.M.

Assembly Bill 730

Relating to the licensing and regulation of food processing plants by the department of agriculture, trade and consumer protection, granting rule-making authority and providing penalties.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 730

Read a third time and concurred in.

SPECIAL ORDER AT 1:45 P.M.

Assembly Bill 816

Relating to creating a forfeiture for violation of various food regulation provisions administered by the department of agriculture, trade and consumer protection.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 816

Read a third time and concurred in.

SPECIAL ORDER AT 1:46 P.M.

Assembly Bill 832

Relating to the membership of the group insurance board.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 832

Read a third time and concurred in.

SPECIAL ORDER AT 1:47 P.M.

Assembly Bill 896

Relating to designating September 16 as a special observance day for Mildred Fish Harnack.

Read a second time.

Ordered to a third reading.

By request of Senator Norquist, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 896

Read a third time and concurred in.

SPECIAL ORDER AT 1:48 P.M.

Assembly Bill 914

Relating to filing inheritance tax returns.

Read a second time.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 914

Read a third time and concurred in.

Assembly Bill 849

Relating to city and village parking systems.

Read a third time.

By request of Senator George, with unanimous consent, **Assembly Bill 849** was referred to a second reading.

Read a second time.

Senate amendment 1 offered by Senator George.

The question was: Adoption of senate amendment 1?

Senator Plewa moved rejection of senate amendment 1.

The question was: Rejection of senate amendment 1?

The ayes and noes were demanded and the vote was: ayes, 13; noes, 19; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chvala, Czarnecki, Feingold, Helbach, Kincaid, Lee, Moen, Otte, Plewa, Risser, Roshell and Ulichny -- 13.

Noes -- Senators Adelman, Chilsen, Cullen, Davis, Ellis, Engeleiter, George, Hanaway, Harsdorf, Kreul, Lasee, Lekan, Lorman, McCallum, Norquist, Rude, Stitt, Strohl and Van Sistine -- 19.

Absent or not voting -- Senator Theno -- 1.

So the motion did not prevail.

The question was: Adoption of senate amendment 1? Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 849

Read a third time and concurred in as amended.

Senator Norquist in the chair.

5:55 P.M.

Senate Joint Resolution 1

Relating to authorizing the creation of a Wisconsin state lottery (first consideration).

Read.

The question was: Concurrence of assembly amendment 1 to senate amendment 2 to assembly amendment 6?

Concurred in.

The question was: Shall the senate adhere to its position on senate amendment 1 to assembly amendment 6?

Senator Van Sistine moved the senate recede from its position on senate amendment 1 to assembly amendment 6?

The question was: Shall the senate recede from its position on senate amendment 1 to assembly amendment 6?

The motion prevailed.

The question was: Shall the senate adhere to its position on senate amendment 8 to assembly amendment 6?

Senator Van Sistine moved that the senate recede from its position on senate amendment 8 to assembly amendment 6?

The question was: Shall the senate recede from its position on senate amendment 8 to assembly amendment 6?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 12; absent or not voting, 1; as follows:

Ayes -- Senators Andrea, Chilsen, Cullen, Davis, Ellis, Engeleiter, George, Helbach, Kincaid, Kreul, Lasee, Lee, McCallum, Moen, Otte, Plewa, Roshell, Rude, Strohl and Van Sistine -- 20.

Noes -- Senators Adelman, Chvala, Czarnezki, Feingold, Hanaway, Harsdorf, LEEAN, Lorman, Norquist, Risser, Stitt and Ulichny -- 12.

Absent or not voting -- Senator Theno -- 1.

So the motion prevailed.

Assembly Bill 12

Relating to parental liability for acts of children and disclosure of certain information about juveniles.

Read a second time.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

By request of Senator LEEAN, with unanimous consent, senate amendment 1 to senate substitute amendment 1 was returned to the author.

Senate amendment 2 to senate substitute amendment 1 offered by Senators Ulichny, Adelman and Lee.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Adopted.

The question was: Adoption of senate substitute amendment 1?

Adopted.

Ordered to a third reading.

By request of Senator Cullen, with unanimous consent, the bill was considered for final action at this time.

Assembly Bill 12

Read a third time and concurred in as amended.

MOTIONS

By request of Senator Czarnezki, with unanimous consent, **Senate Joint Resolution 79** was withdrawn from committee on Education and Government Operations and referred to committee on Senate Organization.

Senator Hanaway asked unanimous consent that **Senate Bill 626** be withdrawn from committee on Labor, Business, Veterans Affairs and Insurance and be taken up at this time.

Senator Van Sistine objected.

Senator Chilsen moved that the motion to withdraw **Senate Bill 195** from committee on Labor, Business, Veterans Affairs and Insurance be taken from the table.

The question was: Shall the motion to withdraw **Senate Bill 195** from committee on Labor, Business, Veterans Affairs and Insurance be taken from the table?

By request of Senator Cullen, with unanimous consent, the senate recessed until 7:30 P.M.

7:10 P.M.

RECESS

7:30 P.M.

The senate reconvened.

AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 500** by Senator Stitt.

Senate substitute amendment 2 to **Senate Bill 258** by Senator Kreul.

Senate amendments 1 and 2 to senate substitute amendment 1 to **Senate Bill 620** by Senator Kreul.

Senate amendment 4 to **Senate Bill 460** by Senator Adelman.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

Senator Cullen moved the senate adjourn.

The question was: Shall the senate adjourn.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 11; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Andrea, Chvala, Cullen, Czarnezki, Feingold, George, Helbach, Kincaid, Kreul, Lasee, Lee, Moen, Norquist, Otte, Plewa, Risser, Strohl, Ulichny and Van Sistine -- 20.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, LEEAN, Lorman, McCallum, Rude and Stitt -- 11.

Absent or not voting -- Senators Roshell and Theno - - 2.

So the motion prevailed and the senate adjourned.

7:33 P.M.